

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2527**

4
5 (By Delegates Pasdon, Marcum, Kessinger, R. Phillips and Upson)

6
7 (Originating in the House Committee on Education)

8 [February 11, 2015]

9
10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
11 designated §49-2-8, relating to establishing the Task Force on Prevention of Sexual
12 Abuse of Children; authorizing section to be called “Erin Merryn’s Law”; specifying
13 membership; specifying responsibilities, including report of recommendations to
14 Legislature and Governor; precluding member compensation or expense reimbursement.

15 *Be it enacted by the Legislature of West Virginia:*

16 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
17 section, designated §49-2-8, to read as follows:

18 **ARTICLE 2. STATE RESPONSIBILITIES FOR THE PROTECTION AND CARE OF**
19 **CHILDREN.**

20 **§49-2-8. Task Force on Prevention of Sexual Abuse of Children.**

21 (a) This section may be referred to as “Erin Merryn's Law”.

22 (b) The Task Force on Prevention of Sexual Abuse of Children is established. The task
23 force consists of the following members:

- 1 (1) The Chair of the West Virginia Senate Committee on Health and Human Resources,
2 or his or her designee;
- 3 (2) The Chair of the House of Delegates Committee on Health and Human Resources, or
4 his or her designee;
- 5 (3) The Chair of the West Virginia Senate Committee on Education, or his or her
6 designee;
- 7 (4) The Chair of the House of Delegates Committee on Education, or his or her designee;
- 8 (5) One citizen member appointed by the President of the Senate;
- 9 (6) One citizen member appointed by the Speaker of the House of Delegates;
- 10 (7) One citizen member, who is a survivor of child sexual abuse, appointed by the
11 Governor;
- 12 (8) The President of the State Board of Education, or his or her designee;
- 13 (9) The State Superintendent of Schools, or his or her designee;
- 14 (10) The Secretary of the Department of Health and Human Resources, or his or her
15 designee;
- 16 (11) The Director of the Prosecuting Attorney's Institute, or his or her designee;
- 17 (12) One representative of each statewide professional teachers' organization, each
18 selected by the leader of his or her respective organization;
- 19 (13) One representative of the statewide school service personnel organization, selected
20 by the leader of the organization;
- 21 (14) One representative of the statewide school principals' organization, appointed by the
22 leader of the organization;
- 23 (15) One representative of the statewide professional social workers' organization,

1 appointed by the leader of the organization;

2 (16) One representative of a teacher preparation program of a regionally accredited
3 institution of higher education in the state, appointed by the Chancellor of the Higher Education
4 Policy Commission;

5 (17) The Chief Executive Officer of the Center for Professional Development, or his or
6 her designee;

7 (18) The Director of Prevent Child Abuse West Virginia, or his or her designee;

8 (19) The Director of the West Virginia Child Advocacy Network, or his or her designee;

9 (20) The Director of the West Virginia Coalition Against Domestic Violence, or his or
10 her designee;

11 (21) The Director of the West Virginia Foundation for Rape Information and Services, or
12 his or her designee;

13 (22) The Administrative Director of the West Virginia Supreme Court of Appeals, or his
14 or her designee;

15 (23) The Executive Director of the West Virginia Sheriffs' Association, or his or her
16 designee;

17 (24) One representative of an organization representing law enforcement, appointed by
18 the Superintendent of the West Virginia State Police; and

19 (25) One practicing school counselor.

20 (c) To the extent practicable, members of the task force shall be individuals actively
21 involved in the fields of child abuse and neglect prevention and child welfare.

22 (d) At the joint call of the House of Delegates and Senate Education Committee Chairs,
23 the task force shall convene its first meeting and by majority vote of members present elect

1 presiding officers. Subsequent meetings shall be at the call of the presiding officer.

2 (e) The task force shall make recommendations for decreasing incidence of sexual abuse
3 of children in West Virginia. In making those recommendations, the task force shall:

4 (1) Gather information regarding sexual abuse of children throughout the state;
5 (2) Receive related reports and testimony from individuals, state and local agencies,
6 community-based organizations, and other public and private organizations;

7 (3) Create goals for state education policy that would prevent sexual abuse of children;
8 (4) Create goals for other areas of state policy that would prevent sexual abuse of
9 children; and

10 (5) Submit a report with its recommendations to the Governor and the Legislature.

11 (f) The recommendations may include proposals for specific statutory changes and
12 methods to foster cooperation among state agencies and between the state and local governments.

13 The task force shall consult with employees of the Bureau for Children and Family Services, the
14 Division of Justice and Community Services, the West Virginia State Police, the State Board of
15 Education, and any other state agency or department as necessary to accomplish its
16 responsibilities under this section.

17 (g) Task force members serve without compensation and do not receive expense
18 reimbursement.”